IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	
Plaintiffs,	**4:21CR3079**
vs.	
BALMORE HERNANDEZ-CASTRO, and SANTOS ROSENDO HERNANDEZ,	**ORDER**
Defendants.	

Defendant Santos Rosendo Hernandez has moved to continue the trial, (Filing No. 75), because Defendant's newly retained counsel needs additional time to review discovery and prepare for trial. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

1)   Defendant's motion to continue, (Filing No. 75), is granted.

2)   **As to both Defendants, the status hearings scheduled for today are <u>cancelled</u>**.

3)   As to both defendants, the trial of this case is set to commence before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, 100 Centennial Mall North, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on October 11, 2022, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.

4)   The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendants in a speedy trial, and as to both defendants, the additional time arising as a result of the granting of the motion, the time between today's date and October 11, 2022, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act,

because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1), (h)(6) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 2nd day of August, 2022.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge